

REMARKS

An IDS is submitted herewith.

Apparently, the Examiner has not considered reference AQ and AR of Applicants' IDS filed June 22, 2005 because it is not clear which abstracts the Applicants would like the Examiner to review. Applicants are re-submitting the above-noted references, and have identified the abstracts by circling each in red pen. Applicants respectfully request that the Examiner consider each reference.

Claims 52, 53 and 64 are cancelled herewith; and claims 1-8, 13-15, 54, 57 and 66 are currently amended. Support for amendments to independent claims 1, 14, 15, 54 and 57 can be found at, e.g., page 5, lines 20-28. Amendments to the dependent claims make each claim consistent with its respective independent claim. No new matter has been added.

Applicants note that the Examiner has expressly withdrawn the rejection of claims 1-3, 5 and 9-17 as being anticipated by Laver, U.S. Patent No. 5,516,472 ("Laver").

Claims 1-8, 10-17, 45-51, 54-57 and 60-66 have been rejected under the doctrine of obviousness-type double patenting over claims 1-28 of U.S. Patent No. 5,952,105, or claims 1-49 of U.S. Patent No. 6,448,307. Without conceding that the rejections are proper, Applicants are willing to file a terminal disclaimer when the Examiner has indicated that the claims are otherwise allowable.

Claims 1-8, 10-17, 45-51, 54-57 and 60-66 have been rejected as being obvious over Laver. Applicants do not agree with the rejection, but in order to advance prosecution have amended independent claims 1, 14, 15, 54 and 57.

As amended, each of claims 1, 14, 15 and 54 require cellulosic or lignocellulosic fibers in which at least 70% of the fibers have a length-to-diameter ratio of at least 10. As amended, claim 57 requires cellulosic or lignocellulosic fibers in which 70% of the fibers have a length to diameter ratio of at least 50.

Laver discloses materials in the form of particles (flours), which would inherently have a low length-to-diameter ratio, e.g., approaching 1. For example, it is disclosed at column 8, lines 23-27 that (emphasis added)

Applicants : Marshall Medoff et al.
Serial No. : 09/772,593
Filed : January 30, 2001
Page : 8 of 8

Attorney Docket No.: 08895-019001

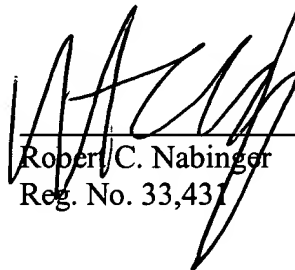
the cellulose materials are comminuted by conventional particle reduction equipment known to the art. These may include grinders, ball mills, choppers or other equipment capable of reducing the fiber to a flour of a distinct particle size or range of sizes.

Laver does not disclose or even suggest fibers in which at least 70% of the fibers have a length-to-diameter ratio of at least 10, as independent claims 1, 14, 15 and 54 each require, or fibers in which 70% of the fibers have a length to diameter ratio of at least 50, as independent claim 57 requires.

Applicants respectfully submit that all claims are in condition for allowance.

Enclosed is a \$60.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 08895-019001.

Respectfully submitted,



Robert C. Nabinger
Reg. No. 33,431

Date: March 6, 2006

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906